



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/825,141	03/28/97	BAKER	J 06998/028001

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EXAMINER

OPSASNICK, M

ART UNIT

PAPER NUMBER

2741

DATE MAILED:

04/30/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/825,141

Applicant(s)

Baker et al

Examiner

Michael N. Opsasnick

Group Art Unit

2741



☒ Responsive to communication(s) filed on Mar 28, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-13 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-13 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Drawings*

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
2. The incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication is improper. (Specification, page 7, lines 15-18)  
Applicant is required to amend the disclosure to include the material incorporated by reference. The amendment must be accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of the same material incorporated by reference in the referencing application. See *In re Hawkins*, 486 F.2d 569, 179 USPQ 157 (CCPA 1973); *In re Hawkins*, 486 F.2d 579, 179 USPQ 163 (CCPA 1973); and *In re Hawkins*, 486 F.2d 577, 179 USPQ 167 (CCPA 1973).

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*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Hutchins (5208897).

As per claims 1, 7, Hutchins (5208897) teaches:

“receiving a spelling of the word” as ASCII spelling of subsyllables (Fig. 4a, from subblock 16, to subblock 20);

“receiving an utterance of the word” as audio input with acoustics to subsyllables (Fig. 4a, subblocks 14, 16);

“creating a collection of possible phonetic pronunciations of the word by:

comparing the spelling to a rules list of the letters strings with associated phonemes, wherein the comparing includes searching the letter strings of the rules list for a letter string from the spelling of length greater than one letter” as accessing subsyll list and NT list for possible subsyllables (Fig. 4A, subblocks 20, 22, 24, 26) ;

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“limiting the collection of possible phonetic pronunciations containing phonemes associated with the letter string of length greater than one” as limiting phonetic representations by phonetic estimator by weighting (col. 9 lines 13-44);

“using speech recognition to find a best matching pronunciation from the collection that best matches the utterance of the word” as recognizer folders (col. 16, lines 21-57) to be used in recognition (col. 15 lines 45-46);

“adding the word to the speech recognition vocabulary using the spelling and the best matching pronunciation” as adding words to the vocabulary list (col.24, lines 50-63);

As per claim 2, Hutchins (5208897) teaches:

“searching the letter strings of the rules list for a longest length letter string from the spelling” as searching the strings according to subsyllables (col. 10, line 51 - col. 11 line 24);

As per claim 3,7, Hutchins (5208897) teaches:

“limiting the collection of possible phonetic pronunciations to phonetic pronunciations containing phonemes associated with the letter string of longest length” as subsyllables limited by the weighting selection (col. 9 lines 14-44);

As per claim 4, Hutchins (5208897) teaches:

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“starting the comparing with letter strings from the spelling beginning with a first letter of the spelling” as starting with first subsyllable (col. 9 lines 49-64);

As per claim 5, Hutchins (5208897) teaches:

“searching the letter strings of the rules list for an initial longest length letter string from the spelling beginning with the first letter” as subsyllables limited by the weighting selection (col. 9 lines 14-44);

As per claim 6, Hutchins (5208897) teaches:

“searching the letter strings of the rules list for a subsequent longest length letter string from the spelling beginning with a letter following the last letter in the initial longest length letter string” as choosing the subsyllable representation according to the number of subsyllable spellings (col. 9 line 65 - col. 10 line 35)

As per claim 8, Hutchins (5208897) teaches:

“matching first two letters...to classified words...matching phonemes....to phoneme of classified words...placing the word in the class list” as matching phonemes of the subsyllables (col. 10 lines 18-44), generating syllables from the spelled based subsyllables (col. 11 line 2 - col. line 13), and generating words according to the syllables (col. 11 lines 32-42);

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As per claim 9, Hutchins (5208897) teaches:

“matching phonemes....classified words” as syllable to word mapping (col. 11 lines 26-42);

As per claim 10, Hutchins (5208897) teaches:

“performing a direct look up...matching the first phoneme...selecting the first word in the database..matching the first phoneme of the word...placing the word in the class list” as looking up spellings for converting subwords to words (col. 15 lines 6-25);

As per claim 11, Hutchins (5208897) teaches:

“matching the first phoneme of the word...same first four phonemes” as looking up spellings for converting subwords to words (col. 15 lines 6-25; Examiner notes that Hutchinson teaches the concept of matching the phonemes until a match has been made));

As per claim 12, Hutchins (5208897) teaches:

“selecting first word in the database having the same first four phonemes” as looking up spellings for converting subwords to words (col. 15 lines 6-25; Examiner notes that Hutchinson teaches the concept of matching the phonemes until a match has been made));

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As per claim 13, Hutchins (5208897) teaches:

“matching the first four phoneme of the word...classified words in the sub-list”as looking up spellings for converting subwords to words (col. 15 lines 6-25; Examiner notes that Hutchinson teaches the concept of matching the phonemes until a match has been made));

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bahler (4481593)

Silverman (5652828)

Moshier (4489435)

Hutchins (5208897)

Hutchins (5208897)

Hutchins (5222188)

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks



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Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 305-9508 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick whose telephone number is (703)305-4089.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David r. Hudspeth, can be reached at (703)305-9708. The facsimile phone number for this group is (703)305-9508.

Any inquiry of a general nature or relating to the status of this applications should be directed to the Group receptionist whose telephone number is (703)305-3900.

Michael N. Opsasnick

April 23, 1998

  
DAVID R. HUDSPETH  
SUPERVISORY PATENT EXAMINER  
GROUP 2700